

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 10/27/2021**

PRIYA HARRIRAM,

Plaintiff,

v.

JOSEPH LUIS FERA AND LEHMAN
COLLEGE,

Defendants.

21-CV-3696 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

The Court is in receipt of Defendants' letter motion of October 25, 2021, requesting the Court to compel Plaintiff to clarify several things with respect to her pleadings. Dkt. 31.

Defendants filed a motion to dismiss this lawsuit on October 1, 2021. Dkt. 23. As the Court's Order on October 5, 2021 stated, Plaintiff was entitled to amend her complaint once as a matter of course within 21 days of service of Defendants' motion to dismiss, or to file a response in opposition to Defendants' motion to dismiss within 45 days of that order. Dkt. 26.

That same day, Plaintiff filed a letter asserting new allegations against Defendants that were not included in her complaint. Dkt. 25. On October 19, 2021, Plaintiff filed an amended complaint that raises the same claims as her original complaint, but that did not include all of the exhibits that were attached to her original complaint. *Compare* Dkt. 2 *with* Dkt. 28. Also on October 19, 2021, Plaintiff filed a letter, Dkt. 29, that asserted allegations that were not included in either her original complaint, Dkt. 2, or her amended complaint, Dkt. 28. It is not clear to the Court whether this letter, Dkt. 29, was intended to be a part of Plaintiff's amended complaint, or if it constituted Plaintiff's opposition to Defendants' motion to dismiss.

Plaintiff is ordered to clarify, by November 12, 2021: (1) which filing is to be understood as her operative complaint; (2) what document, if any, she intends to incorporate into that complaint (for purposes of evaluating the motion to dismiss); and (3) whether any of her filings were intended to be understood as an opposition to Defendants' motion to dismiss. Plaintiff is to do so by filing a letter with the Court explaining her intentions and referencing the filings by their ECF Docket Numbers. If Plaintiff intended for multiple filings to be understood as her amended complaint, she is further ordered to file one consolidated pleading that includes all of the allegations she wishes to include, along with any exhibits, to be incorporated therein, as one amended complaint, no later than November 12, 2021.

Once Plaintiff clarifies whether any of her filings were intended to be understood as an opposition to Defendants' motion to dismiss, or if she files one amended complaint that consolidates all of her operative allegations into one filing, Defendants are to respond within 14 days by either filing reply papers or by moving to dismiss the newly amended complaint.

As a reminder to Ms. Harriram, she may wish to once again consult the New York Legal Assistance Group's legal clinic for *pro se* litigants, by visiting its website at nylag.org/pro-se-clinic/ or by calling (212) 659-6190. This clinic, which is neither part of nor run by the Court, assists *pro se* litigants with federal civil cases.

The Clerk of Court is respectfully directed to terminate Dkt. 31 and to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: October 27, 2021
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', with a long horizontal flourish extending to the right.

Ronnie Abrams
United States District Judge